

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Apr 27, 2021**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID REY FREIBERG,

Defendant.

No. 1:19-CR-02037-SAB-1

**ORDER GRANTING SECOND  
MOTION TO MODIFY  
CONDITIONS OF RELEASE**

Before the Court is Defendant's Second Motion to Modify Conditions of Release, ECF No. 78, and an associated Motion to Expedite, ECF No. 79. The motion was considered without oral argument. Defendant is represented by Richard Smith and Elijah Marchbanks. The Government is represented by Benjamin Seal.

Defendant previously requested that the Court modify his pretrial conditions of release, specifically to release him from Special Condition No. 10, which required Defendant to participate in a program of GPS location monitoring. ECF No. 74. The Court granted the motion on April 14, 2021. ECF No. 77. Defendant now requests to be released from Special Condition No. 11,<sup>1</sup> which requires that:

<sup>1</sup> Defense counsel states that he inadvertently forgot to include a request for Defendant to be released from Special Condition 11 in his previous motion.

**ORDER GRANTING SECOND MOTION TO MODIFY CONDITIONS OF  
RELEASE # 1**

1 Defendant shall be restricted to his residence at all times except for:  
2 attorney visits; court appearances; case related matters; court ordered  
3 obligations; or other activities as pre-approved by Pretrial Services  
4 Officer or Supervising Officer, including but not limited to  
5 employment, religious services, medical necessities, substance abuse  
6 testing or treatment.

ECF No. 59.

7 Defendant states that neither Probation nor the Government oppose the  
8 request. The Court finds good cause to grant the motion.

9 Accordingly, **IT IS HEREBY ORDERED:**

- 10 1. Defendant's Motion to Expedite, ECF 79, is **GRANTED**.
- 11 2. Defendant's Second Motion to Modify Conditions of Release, ECF  
12 No. 78, is **GRANTED**.
- 13 3. Special Condition No. 11 is **STRICKEN** from Defendant's  
14 conditions of pretrial release.

15 **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
16 file this Order and provide copies to counsel **AND TO** U.S. Probation.

17 **DATED** this 27th day of April 2021.



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A handwritten signature in blue ink that reads "Stanley A. Bastian".

23 Stanley A. Bastian  
24 United States District Judge  
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